

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION STUDENT-
ATHLETE CONCUSSION INJURY
LITIGATION**

MDL No. 2492

Master Docket No. 1:13-cv-09116

Judge John Z. Lee

Magistrate Judge M. David Weisman

DECLARATION OF JOHANNA SPELLMAN

I, Johanna Spellman, declare as follows:

1. I am an attorney with Latham & Watkins LLP, counsel of record for the National Collegiate Athletic Association (“NCAA”). On July 30, 2014, I was appointed by the Court as Liaison Counsel for the NCAA. I make this declaration based upon my personal knowledge, and I am competent to testify as to its contents.

2. On July 29, 2016, the NCAA sent a letter to each of its member institutions, requesting that those institutions provide the Notice Administrator with last-known contact information for Settlement Class Members. The NCAA asked member institutions to provide the requested information by September 15, 2016.

3. On October 20, 2016, the NCAA sent a second letter to member institutions, reminding them to provide the requested information as soon as possible.

4. In November and December 2016, counsel for the NCAA sent subpoenas to sixty-two (62) institutions that had requested subpoenas due to concerns about compliance with the Family Educational Rights and Privacy Act (“FERPA”).

5. On December 15, 2016, the NCAA sent a third letter to member institutions that had not yet provided the Notice Administrator with last-known contact information for Settlement Class Members. In its letter, the NCAA requested that the institutions provide the

information as soon as possible and informed the institutions that if they did not comply with the request, Class Counsel would serve subpoenas for the requested information.

6. After the NCAA sent its December 15, 2016 letter, the NCAA prepared and coordinated the service of 385 subpoenas on member institutions that had not provided the requested information.

7. Following a March 7, 2017 status conference, counsel for the NCAA re-issued subpoenas to four (4) member institutions upon whom the process server previously was unable to effect service. The process server, however, was unable to effect service on one (1) of those schools (i.e., the University of Puerto Rico, Mayaguez), because the school refused to allow the process server on campus. Additionally, Class Counsel re-served one (1) subpoena in response to objections from one (1) school.

8. Following the March 7, 2017 status conference, counsel for the NCAA also reached out to member institutions that had received a subpoena but had not yet provided the requested information. Counsel for the NCAA spoke with individuals at sixty-three (63) of those institutions, many of whom said that they were working to provide the requested information. Counsel for the NCAA left messages for the remaining thirteen (13) schools, indicating in the message that counsel were calling with regard to the subpoena, requesting that the institution provide the Notice Administrator with the student-athlete contact information as soon as possible and noting the Court's order requiring the Parties to file by April 15, 2017 a list of institutions that had not provided responses to the subpoena.

9. As of April 14, 2017, 1,084 NCAA member institutions have uploaded student-athlete contact information to the Notice Administrator, with a total of approximately 4,146,871 records uploaded. The number of records uploaded as of April 14, 2017 is based on information that NCAA member institutions provided when they uploaded files to the Notice Administrator.

The Notice Administrator is working to verify the completeness of those records and accuracy of that number.

10. As of April 14, 2017, thirty-three (33) NCAA member institutions have not complied with subpoenas for Settlement Class Member contact information. Those institutions are set forth below:

NCAA Member Institution

1. Alvernia University
2. Benedict College
3. Bethune-Cookman University
4. Birmingham-Southern College
5. Chicago State University
6. College of New Rochelle
7. Colorado College
8. Coppin State University
9. Felician University
10. Grambling State University
11. Lane College
12. Lemoyne-Owen College
13. Long Island University, LIU Post
14. Long Island University, Brooklyn Campus
15. Maranatha Baptist University
16. Morehouse College
17. North Carolina Central University
18. Oklahoma Christian University
19. Providence College
20. Ramapo College
21. Saint Augustine's University
22. Saint Joseph's University
23. San Diego State University
24. Sonoma State University
25. Southern University, Baton Rouge
26. St. John's University, New York
27. Stillman College
28. University of Puerto Rico, Bayamon
29. University of Puerto Rico, Rio Piedras
30. University of Valley Forge
31. Washington State University
32. West Virginia State University
33. Wittenberg University

I declare under penalty of perjury under the laws of the state of Illinois that the foregoing is true and correct.

EXECUTED on this 17th day of April, 2017, at Chicago, Illinois.

A handwritten signature in cursive script, appearing to read "Johanna M. Spellman", written in black ink.

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